

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MATEO DEMATEOJUAN,

Petitioner,

vs.

STATE OF NEBRASKA,

Respondent.

8:23CV184

ORDER

On May 19, 2023, the Court directed Petitioner to correct the signature deficiency in his habeas petition and either submit the \$5.00 fee or a request to proceed in forma pauperis within 30 days or face dismissal of this matter. [Filing No. 3](#). On June 9, 2023, Petitioner corrected the petition's signature deficiency by submitting a signed signature page. [Filing No. 1-1](#). However, to date, Petitioner has not paid the \$5.00 fee or submitted a request to proceed in forma pauperis. Accordingly, the Court will require Plaintiff to show cause why this case should not be dismissed for his failure to comply with the Court's order. Absent a sufficient response, the case will be subject to dismissal.

IT IS THEREFORE ORDERED that:

1. Plaintiff will have 30 days to show cause why this case should not be dismissed for failure to pay the \$5.00 fee or submit a request to proceed in forma pauperis. In the absence of cause shown, this case will be dismissed without prejudice and without further notice.

2. The Clerk of the Court is directed to send to Petitioner the Form AO 240 ("Application to Proceed Without Prepayment of Fees and Affidavit"). To avoid

confusion, any document Petitioner sends to the Clerk of the Court for filing in this case must clearly display the case number (8:23CV184).

3. The Clerk of Court is directed to set a pro se case management deadline in this case using the following text: **August 14, 2023**: check for response to show cause order.

Dated this 13th day of July, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge